

REMARKS

Upon entry of the present amendment, claims 1, 4, 7, 8, 9, 13, 16, 17, 18, 22, 25, and 30 will have been amended.

Initially, Applicants would like to thank the Examiner for conducting a telephone interview with Applicants' Representative John Mazzola on June 22, 2004. During said interview, Applicants discussed the claims as amended herein and argued that DRISKELL et al. (U.S. 6,072,493), separately or in any proper combination with BRANDT et al. (U.S. 6,714,979), do not teach storing billing data with associated information indicating whether the customer desires presentation of billing information via a web-based billing application, and presenting processed billing information to the customer in accordance with the associated information. The Examiner asserted that the claims as amended herein would not overcome the prior art relied upon by the Examiner. Applicants note that agreement on the claims was not reached during the interview.

Applicants also briefly discussed the 35 U.S.C. § 112, first paragraph rejections made by the Examiner in the outstanding Official Action. Applicants directed the Examiner's attention to the following exemplary passages in the specification which provide support for claims 32-33 and 34-35 as submitted in the Response Under 37 C.F.R. § 1.111, which was filed on March 2, 2004, i.e., at page 13, paragraph 43 and page 17, paragraph 54, respectively.

More specifically, and referring now to the above-noted Official Action, the Examiner rejected claims 32-35 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserted that there was no support in the specification for the claimed subject matter recited in dependent claims 32-35. With respect to claims 32 and 33, the Examiner asserted that the Applicant's specification teaches away from the newly added claims. As to claims 34-35, the Examiner asserted that the specification is silent with respect to the feature of enabling a representative of the customer to check out the hierarchy, let alone, on a read only basis. Applicants respectfully traverse and submit that the Examiner is incorrect.

Claims 32 and 33 recite that the billing information is presented (sent) to the customer in accordance with a billing period defined by the customer. This feature is clearly supported in the specification, for example, at page 13, paragraph 43. Figure 18 depicts an aspect of one embodiment of the present invention. For a convergent bill (CB), the customer receives billing information in hard copy (i.e., paper) or in an alternative media format such as a cd-rom, for instance. On the other hand, using an electronic billing analysis tool (eBAT), the customer may view canned or custom billing reports via a web-based application. In both embodiments, the billing information is presented to the customer in accordance with the customer's pre-defined hierarchy. Figure 18, as referred to by the Examiner, depicts an aspect of the present invention using

eBAT. Claims 32 and 33 recite that the customer may define the billing period associated with a CB, a feature that is explicitly described in the specification. Indeed, the subject matter of claims 32 and 33 are described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, has possession of the claimed invention. The specification of the present invention in no way teaches away from claims 32 and 33.

Claims 34 and 35 recite that a representative of the customer may check out the hierarchy, at which time the hierarchy is available to other representatives of the customer on a read only basis. This feature is clearly supported in the specification, for example, at page 17, paragraph 54 and in the figures, e.g., Figures 5 and 10. As noted in paragraph 54, and with respect to Figures 5 and 10, "Changes may be made to the customer hierarchy by selecting a check-out hierarchy button 78...". Continuing in paragraph 54, "While a hierarchy is checked out, the hierarchy is available to other users on a read only basis". Figure 21 depicts an aspect of one embodiment of the present invention using CB. Claims 34 and 35 relate to checking out the hierarchy using eBAT. The specification cannot be deemed to be silent with respect to this aspect of the present invention. Indeed, the subject matter of claims 34 and 35 are described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, has possession of the claimed invention.

In addition, the Examiner rejected claims 1-35 under 35 U.S.C. §103(a) as being unpatentable over DRISKELL et al. (U.S. Patent No. 6,072,493) in view of BRANDT et al. (U.S. Patent No. 6,714,979). The Examiner asserted that DRISKELL et al. disclose, *inter alia*, retrieving billing information from a billing repository, processing the billing information in accordance with a customer-defined format stored in a database, the customer-defined format comprising a hierarchy, sending the processed billing information to an output operation where a bill is generated in accordance with the hierarchy, and sending the bill to a customer. The Examiner also stated that DRISKELL et al. disclose that computer 100 may operate in a networked environment using logical connections to one or more remote computers, such as remote computer 136, which may be a server. The Examiner also mentioned that DRISKELL et al. use the term "gateway" (e.g., col. 32, line 53).

The Examiner asserted that BRANDT et al. disclose a server allowing for integration with a client and middle-tier service and application proxy components enabling customers to request, specify, customize, schedule and receive telecommunications network call detail data and account information in the form of reports that are generated by various "back-end" application servers, and allows a report request to be made and controlled by the user.

The Examiner then concluded that it would have been obvious for one of ordinary

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skill in the art at the time of the invention to modify the invention taught by DRISKELL et al. to use a server as taught by BRANDT et al. for the benefit of integrating existing applications, as well as, providing various reports to a customer when a request is made. Notwithstanding the Examiner's assertions, Applicants have amended the claims to more distinctly recite their invention. Particularly in view of the amendments to the claims, Applicants respectfully traverse.

DRISKELL et al. is not clear as to where or how the billing information is applied to the hierarchy, prior to its delivery to the customer. In fact, col. 9, lines 18-22 of DRISKELL et al. indicates that it is the customer that must correlate the billing information with the appropriate organizational elements. In one aspect of the present invention, however, billing data is extracted and formatted in accordance with a customer-defined hierarchal format, and presented or sent to the customer according to the customer's presentation preference.

Regarding the term "gateway", DRISKELL et al. use the term to indicate a navigation link between a menu item and corresponding feature, not to denote any backend architecture.

Applicants also disagree with the Examiner's assertion that it would have been obvious to one of ordinary skill in the art at the time of the invention to use to modify the invention taught by DRISKELL et al. to use a server as taught by BRANDT et al. The

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Examiner is respectfully requested to provide a proper motivation (i.e., flowing from the prior art) for combining the teachings of DRISKELL et al. and BRANDT et al.

In claims 1, 4, 7, 16, 25, and 30 as amended, billing information is presented to the customer in a manner desired by the customer. Accordingly, in one aspect of the present invention, the system may accommodate a customer who has changed, or who frequently changes, between desired delivery methods of the billing information. For example, a customer may specify whether they wish to receive a CB or view canned or custom reports via the Internet using eBAT. Once specified, one aspect of the present invention associates an attribute with billing information that indicates whether the customer desires to receive the bill using a web-based application. Therefore, presentation according to the customer's desires may be easily effected.

On the other hand, the teaching of DRISKELL et al. are limited to providing billing information via either CD-ROM, diskette, electronic mail, optical disk, magnetic tape, and various other storage media (col. 9, lines 8-12). DRISKELL et al. does not allow the customer to choose between various formats of presentation. That is, DRISKELL et al. fails to explain how the different delivery options are selected, but it appears that the decision is made by the carrier or provider.

In one aspect of the present invention, however, presentation of billing information is effected in a manner desired by the customer, which is clearly not shown nor

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contemplated by DRISKELL et al.

Moreover, there is no suggestion or disclosure in DRISKELL et al., separately or in any proper combination with BRANDT et al., that render obvious the features of the present claimed invention.

Applicants have also made minor cosmetic changes herein to dependent claims 8, 9, 13, 17, 18, and 22.

Applicants further assert that dependent claims 2-3, 5-6, 8-15, 17-24, 26-29, and 31-35 are allowable over the applied prior art, at least because each depends, directly or indirectly, from allowable independent claims 1, 4, 7, 16, 25, or 30, as well as for additional reasons relating to their own recitations. Accordingly, for each of these reasons, and certainly for all of these reasons, DRISKELL et al. and BRANDT et al. are submitted to provide an inadequate and insufficient basis for the rejection of any of the claims in the present application. Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner and an indication to such effect is respectfully requested, in due course.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections of the claims, as well as an indication of the allowability of each of the claims in view of the herein-contained remarks.

SUMMARY AND CONCLUSION

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

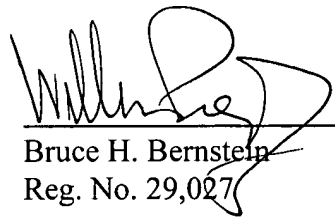
Applicants note the status of the present application as being after final rejection and with respect to such status believes that there is a clear basis for the entry of the present amendment consistent with 37 C.F.R. § 1.116. Applicants note that amendments after final are not entered as a matter of right; however, Applicants submit that the amendments made to the pending claims do not raise any new issues requiring further search or consideration. It is also submitted that the present amendment does not raise the question of new matter. Moreover, the present amendment clearly places the present application in condition for allowance.

Accordingly, Applicants respectfully request entry of the present amendment in accordance with the provisions of 37 C.F.R. § 1.116, reconsideration and withdrawal of the outstanding rejections, and indication of the allowability of claims 1-35 pending herein.

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Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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